

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DONALD THOMAS,	)	
Plaintiff	)	
	)	
v.	)	CIVIL ACTION NO. 00 - 81 ERIE
	)	
CITY OF ERIE, PENNSYLVANIA,	)	
PAUL J. DeDIONISIO, Chief of Police,	)	
OFFICER CLARK PETERS,	)	
OFFICER MICHAEL NOLAN,	)	
OFFICER MATT FISCHER, and	)	
OFFICER TODD McLAUGHLIN,	)	
Defendants	)	ELECTRONICALLY FILED

**MOTION FOR WITHDRAWAL OF APPEARANCE  
OF MARCIA H. HALLER, ESQUIRE OF  
MACDONALD, ILLIG, JONES & BRITTON LLP AND  
NOTICE OF SUBSTITUTED APPEARANCE  
BY JOHN J. MEAD, ESQUIRE**

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Marcia H. Haller, Esquire of MacDonald, Illig, Jones & Britton LLP and John J. Mead, Esquire, Assistant City Solicitor for the City of Erie hereby file this Motion for Withdrawal of Appearance of Marcia H. Haller, Esquire and Notice of Substituted Appearance by John J. Mead, Esquire, Assistant City Solicitor for the City of Erie, and state as follows:

1. While associated with the MacDonald, Illig, Jones & Britton LLP law firm, John J. Mead, Esquire has previously appeared as counsel of record in the above-captioned action on behalf of defendants City of Erie, Pennsylvania, Paul J. DeDionisio, Chief of Police,

Officer Clark Peters, Officer Michael Nolan, Officer Matt Fischer and Officer Todd McLaughlin.

2. Effective March 1, 2004, John J. Mead, Esquire became associated with a new law firm, Scarpitti & Mead Law Firm, Suite 800 Renaissance Centre, 1001 State Street, Erie, Pennsylvania 16501.

3. On July 20, 2004, a Motion for Withdrawal of Appearance of John J. Mead, Esquire and Notice of Substituted Appearance by Marcia H. Haller, Esquire of MacDonald, Illig, Jones & Britton LLP was filed on behalf of all defendants.

4. On July 26, 2004, an Order granting the Motion for Withdrawal of Appearance of John J. Mead, Esquire and Notice of Substituted Appearance by Marcia H. Haller, Esquire of MacDonald, Illig, Jones & Britton LLP was signed by Senior Judge Maurice B. Cohill, Jr.

5. In a letter to Marcia H. Haller, Esquire dated February 9, 2006, Attorney Mead, in his capacity as an Assistant City Solicitor for the City of Erie, requested that the file be transferred to the Office of the City Solicitor for all future proceedings.

6. On March 1, 2006, this Honorable Court issued an Opinion and Order granting the motions for summary judgment filed on behalf of all defendants.

7. Marcia H. Haller, Esquire and John J. Mead, Esquire hereby move for withdrawal of the appearance of Marcia H. Haller, Esquire and the substitution of John J. Mead, Esquire, Assistant City Solicitor for the City of Erie, as counsel of record on behalf of defendants City of Erie, Pennsylvania, Paul J. DeDionisio, Chief of Police, Officer Clark Peters, Officer Michael Nolan, Officer Matt Fischer and Officer Todd McLaughlin, and hereby request that all future notices, pleadings, Orders, filings of record and/or other communications relating to this action

should be directed to John J. Mead, Esquire, Office of the City Solicitor, 626 State Street, Room 505, Erie, Pennsylvania 16501, (814) 870-1230.

8. Since John J. Mead, Esquire is hereby entering his appearance on behalf of the above-referenced parties, no prejudice would result from the granting of Marcia H. Haller's Motion for Withdrawal of Appearance at this time.

WHEREFORE, Marcia H. Haller, Esquire and John J. Mead, Esquire hereby respectfully request this Honorable Court to enter an Order granting this Motion for Marcia H. Haller, Esquire's withdrawal of appearance and accepting the substitution of appearance of John J. Mead, Esquire as counsel of record on behalf of defendants City of Erie, Pennsylvania, Paul J. DeDionisio, Chief of Police, Officer Clark Peters, Officer Michael Nolan, Officer Matt Fischer and Officer Todd McLaughlin in this action.

Respectfully submitted,

s/Marcia H. Haller  
Marcia H. Haller  
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s/John J. Mead

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Attorneys for Defendants  
City of Erie, Pennsylvania, Paul J. DeDionisio,  
Chief of Police, Officer Clark Peters,  
Officer Michael Nolan, Officer Matt Fischer  
and Officer Todd McLaughlin

Dated: March 6, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion for Withdrawal of Appearance of Marcia H. Haller, Esquire of MacDonald, Illig, Jones & Britton LLP and Notice of Substituted Appearance by John J. Mead, Esquire was served upon the following counsel of record, via First-Class United States Mail addressed as follows, this 6th day of March, 2006:

Timothy P. O'Brien, Esquire  
1705 Allegheny Building  
429 Forbes Avenue  
Pittsburgh, PA 15219  
Attorneys for Plaintiff Donald Thomas

s/Marcia H. Haller \_\_\_\_\_

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